

Appl. No. 10/652,651  
Art Unit: 1771

Applicant: Brouard, Marcel  
Examiner: Elizabeth M. Cole

## REMARKS

1. **Claim 7** referring to a reference number (48) applied to both a central layer and to the reinforced material. Going back in the Specification on page 9 lines 24 to 25, it is mentioned that  
5 *"Secondly, the center of the felt pad is now reinforced instead of the superior section in order to leave an upper..."*

The reinforcement being a characteristic of the central layer. Therefore the reference number (48) need not be repeated.

The correction made in claim 7 (line 15) is as follows: *"a central  
10 layer (48) comprising a reinforced material (48) and an upper layer (42) with a superior face (43) ..."*

## 2. Rejections under 35 U.S.C. 112

In claim 7: reference is made to the Specification page 8 lines 16 to 18 *"An adhesive is then injected on the superior surface which is  
15 now incorporated with a hardened material (latex for example) which gives it a surface which is much less porous."*

In reality the Specification does provide support for the limitation that the latex is injected.

However, it is not essential in the independent claim 7 to limit the  
20 latex to an injected latex. The expression *«latex base»* simply indicates the presence of latex like references in line 17 page 8 of the Specification.

The correction made in claim 7 (line 22) is as follows: *"...a felt impregnated by a hardened material coming from a group comprising  
25 ~~an injected~~ a latex base."*

In claim 15: reference to the heights of a mushroom shape and J-shaped hooks, is being removed.

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**3. Quotation has been read**

**4. Rejections under 35 U.S.C. 103(a)**

Hanes teaches using hooks, Manor teaches that mushroom shape hooks were recognized as "equivalent" for J-shaped hooks at the time the invention was made.

Nevertheless, our tests reported using mushroom type coupled with a latex hardened center pad has yielded a considerable increase in shear strength in a sliding underfoot pad.

However as mentioned by the Examiner concerning claim 15 *"the specification does not provide support for the limitation that the mushroom shaped hooks are shorter than the corresponding J shaped hooks"*.

5. A question is being raised as to the relative importance of the height or the shape of the hooks that causes the marked improvement in shear resistance. The fact remains that our mushroom use does the improvement over the prior art and it has yielded unexpected results.

6. Some amendments are being incorporated herewith to suggest an Examiner's amendment as this action is made final. If not agreeable, a Continuation In Part is to be filed further defining a support for the limitation that the mushroom shaped hooks are shorter than the corresponding J-shaped hooks as related to the declaration faxed on October 5<sup>th</sup> 2007.

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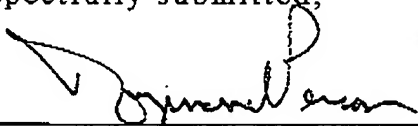
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None of the prior-art pads can provide these new and unexpected results. Since the novel above physical features of applicant's device provide these new and unexpected results over any reference, applicant submits that these new results indicate unobviousness and hence  
5 patentability. Accordingly, applicant respectfully requests reconsideration and allowance of the present application.

I hereby declare that no new matter has been added nor any technical information that was not present in my application as originally filed. I hereby declare that all statements made herein of my own knowledge  
10 are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false  
15 statements may jeopardize the validity of the Application, any patent issuing thereon, or any patent to which this verified statement is directed.

Applicant respectfully requests that timely Notice of Allowance be issued in this case.

20 Respectfully submitted,



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